

# HOUSE JOURNAL

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SEVENTY-FOURTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SEVENTY-NINTH DAY (CONTINUED) — WEDNESDAY, MAY 24, 1995

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 514).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgenuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Absent, Excused — Dear.

The invocation was offered by Don Paul Gray, pastor, Evangel Temple Assembly of God, Grand Prairie.

### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the conference committee on SB 1:

Dear on motion of West.

### HR 1071 - ADOPTED

Representative Kubiak moved to suspend all necessary rules to take up and consider at this time **HR 1071**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Kubiak,

**HR 1071**, Honoring Mr. and Mrs. Vic Feazell on their 14th wedding anniversary.

The resolution was adopted without objection.

**HR 1072 - ADOPTED**

Representative Kubiak moved to suspend all necessary rules to take up and consider at this time **HR 1072**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Kubiak,

**HR 1072**, Congratulating the 1990 senior class of Brenham High School on the occasion of their high school reunion.

The resolution was adopted without objection.

**HR 1073 - ADOPTED**

Representative Kubiak moved to suspend all necessary rules to take up and consider at this time **HR 1073**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Kubiak,

**HR 1073**, Honoring Leonard's & Margaret's on its 40th anniversary.

The resolution was adopted without objection.

**HR 916**

**HR 916**, honoring Crockett Junior High School on its nomination for consideration in the U.S. Department of Education's Drug-Free Schools Recognition Program, having been previously adopted, was read.

**CAPITOL PHYSICIAN**

Speaker Laney presented Dr. Harold High of Cuero as the "Doctor for the Day."

The house welcomed Dr. High and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

**HR 1080 - ADOPTED**

Representative Wilson moved to suspend all necessary rules to take up and consider at this time **HR 1080**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Wilson,

**HR 1080**, Honoring Jakari J. Sherman for his achievements and congratulating him on the occasion of his high school graduation.

(Speaker pro tempore in the chair)

The resolution was read and was adopted without objection.

### INTRODUCTION OF GUESTS

The chair recognized Representative Wilson, who introduced Jakari J. Sherman and his family.

### SIGNED BY THE SPEAKER

The chair announced that the speaker signed in the presence of the house, after giving due notice thereof, the following enrolled bills:

**HB 1227, HB 2747**

### HR 1074 - ADOPTED

Representative Counts moved to suspend all necessary rules to take up and consider at this time **HR 1074**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Counts,

**HR 1074**, Honoring the Roscoe High School boys' track team.

The resolution was adopted without objection.

### HR 1075 - ADOPTED

Representative Counts moved to suspend all necessary rules to take up and consider at this time **HR 1075**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Counts,

**HR 1075**, Honoring the Hawley High School girls' softball team on winning the state championship.

The resolution was adopted without objection.

### HR 1076 - ADOPTED

Representative Counts moved to suspend all necessary rules to take up and consider at this time **HR 1076**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Counts,

**HR 1076**, Honoring the Snyder High School drama department on their recent win at the UIL One-Act Play state competition.

The resolution was adopted without objection.

### HR 1051 - ADOPTED

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HR 1051**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Talton,

**HR 1051**, Honoring Rebecca Faye Dorsett Buck.

The resolution was adopted without objection.

**HR 1052 - ADOPTED**

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HR 1052**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Talton,

**HR 1052**, Honoring William F. Bailey Elementary School.

The resolution was adopted without objection.

**HR 1053 - ADOPTED**

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HR 1053**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Talton,

**HR 1053**, Honoring Pauline Sophie Trojanowski Braden on her retirement.

The resolution was adopted without objection.

**HR 1054 - ADOPTED**

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HR 1054**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Talton,

**HR 1054**, Honoring Patricia Ann Autrey Hawkins on the occasion of her retirement.

The resolution was adopted without objection.

**HCR 227 - ADOPTED**

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HCR 227**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Talton,

**HCR 227**, Commemorating the Rohm and Haas Lone Star Plant ground breaking ceremony.

The resolution was adopted without objection.

### **HR 1083 - ADOPTED**

Representative Krusee moved to suspend all necessary rules to take up and consider at this time **HR 1083**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Krusee,

**HR 1083**, Honoring William Henry Schwerdtfeger on attaining the rank of Eagle Scout.

The resolution was adopted without objection.

### **PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR**

Representative Edwards moved to set a congratulatory and memorial calendar for 10 a.m. Friday, May 26.

The motion prevailed without objection.

### **LOCAL BILLS CALENDAR ON SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading (members registering votes are shown following the caption):

**SB 1076** (Black - House Sponsor), A bill to be entitled An Act relating to the powers of the Lower Colorado River Authority in Lampasas County.

**SB 1610** was withdrawn.

**SB 1647** (King - House Sponsor), A bill to be entitled An Act relating to the governance of the Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1.

**SB 1657** (Horn - House Sponsor), A bill to be entitled An Act relating to the boundaries of the Upper Trinity Regional Water District, to weighted voting by contracting entities, and to the validation of certain actions of the district.

**SB 1709** (Pickett - House Sponsor), A bill to be entitled An Act relating to the validation of certain acts of, including the exclusion of land from, the El Paso County Water Authority.

**SB 1714** (Smithee - House Sponsor), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Oldham County Underground Water Conservation District.

**SB 1720** (T. Hunter - House Sponsor), A bill to be entitled An Act relating to the county courts at law of Nueces County.

**CONSENT BILLS CALENDAR ON SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading (members registering votes are shown following the caption):

**SB 74** (Uher - House Sponsor), A bill to be entitled An Act relating to the authority of a county to regulate dangerous structures; providing a penalty.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Longoria, Representative Rodriguez offered the following committee amendment to the bill:

Amend **SB 74**, Section 1, page 3, line 3, by inserting the words "the state or" after the word "by" and before the words "a political subdivision".

Amend **SB 74**, by striking Sec. 239.001(a) in its entirety and substituting the following therefore:

Sec. 239.001. REQUIRING REPAIR, REMOVAL, OR DEMOLITION OF BUILDING OF OTHER STRUCTURE. (a) If the commissioners court of a county that borders the Gulf of Mexico and is adjacent to a county with a population of more than 2.5 million finds that a bulkhead or other method of shoreline protection, (hereafter called structure), in an unincorporated area of the county is likely to endanger persons or property, the commissioners may:

Amend **SB 74**, page 3, line 3, by striking the period after "state" and replacing with "; or" and adding a section (c)(3) to read:

(3) a building or structure used on or in connection with an agriculture operation.

Amendment No. 1 was adopted without objection.

**SB 89** (Carter - House Sponsor), A bill to be entitled An Act relating to the terms served by members of the executive committee of the Office for the Prevention of Developmental Disabilities.

**SB 123** (Willis - House Sponsor), A bill to be entitled An Act relating to the issuance of specially designed license plates for certain military personnel and veterans.

**SB 131** (Danburg - House Sponsor), A bill to be entitled An Act relating to the duties of the Department of Protective and Regulatory Services regarding domestic violence.

**SB 224** (Danburg and Naishtat - House Sponsors), A bill to be entitled An Act relating to reports of domestic violence.

**SB 225** (Danburg - House Sponsor), A bill to be entitled An Act relating to requiring law enforcement officers to receive training in documentation techniques for certain cases.

**SB 390** (Counts - House Sponsor), A bill to be entitled An Act relating to the disclosure of property valuation information to the owner of property to be acquired for public use.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative B. Turner, Representative Counts offered the following committee amendment to the bill:

Amend **SB 390** as follows:

1) Amend SECTION 1 as follows:

1. page 1, line 7, between "entity" and "with" delete "or corporation".
2. page 1, line 11, between "entity" and "relating" delete "or corporation".
3. page 1, line 14, between "entity" and "any" delete "or corporation".
4. page 1, lines 20 and 21, between "entity" and "may" delete "or corporation".
5. page 1, line 23 and page 2, line 1, between "entity" and "does" delete "or corporation".

2) Amend SECTION 2 as follows:

1. page 2, line 3, between "entity" and "with" delete "or corporation".
2. page 2, lines 5 and 6, between "entity" and "that" delete "or corporation".

Amendment No. 1 was adopted without objection.

**CSSB 452** (Hochberg - House Sponsor), A bill to be entitled An Act relating to powers and duties of the Texas Ethics Commission, to powers and duties of persons acting under certain laws administered by the commission, and to the registration of persons who represent inmates for compensation.

**CSSB 496** (Longoria - House Sponsor), A bill to be entitled An Act relating to the contribution of vacation leave time by certain county employees to a county sick leave pool.

**SB 519** (McDonald - House Sponsor), A bill to be entitled An Act relating to peer assistance and reporting programs for students enrolled in certain professional educational programs.

**SB 525** (R. Cuellar - House Sponsor), A bill to be entitled An Act relating to the purchase of agricultural products by a public institution of higher education.

**CSSB 527** (R. Lewis - House Sponsor), A bill to be entitled An Act relating to conditions of employment for certain officers of the state or a political subdivision of the state.

(Dear now present)

**SB 538** (Yarbrough - House Sponsor), A bill to be entitled An Act relating to the right of a holder or employee of a holder of an alcoholic beverage license or permit to possess a firearm on the licensed or permitted premises.

**SB 553** (Goolsby - House Sponsor), A bill to be entitled An Act relating to a discount on motor vehicle insurance premiums for certain students based on academic achievement.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Driver, Representative Goolsby offered the following committee amendment to the bill:

Amend **SB 553** by amending Article 5.03-3, Insurance Code, as added by the bill (Senate engrossment printing page 3, between lines 11 and 12), by inserting a new Section 4 of that article to read as follows:

Sec. 4. CONTINUATION OF DISCOUNT. Notwithstanding Section 2(b)(3) of this article, an insurer may continue to grant a discount under this article to a person who has graduated from an academic course of study at an institution of higher education if the person:

(1) attended an institution of higher education as a full-time student for at least two consecutive years and was an honor student for at least the last two years of the person's course of study; and

(2) is under 25 years of age.

Amendment No. 1 was adopted without objection.

**SB 585** (Rangel - House Sponsor), A bill to be entitled An Act relating to assistance by certain public institutions of higher education relating to admissions, financial aid, and testing.

**SB 595** (R. Lewis - House Sponsor), A bill to be entitled An Act relating to the authority of counties to abate a public nuisance on certain property and assess costs of abatement.

**Amendment No. 1**

Representative Hartnett offered the following amendment to the bill:

Amend **SB 595** as follows:

(1) In Section 3 of the bill in Section 343.0111 Health and Safety Code (House Committee Report page 3, line 6) after the semicolon add "or".

(2) In Section 3 of the bill in Section 343.0111 Health and Safety Code (House Committee Report page 3, line 9) after the semicolon add "or".

Amendment No. 1 was adopted without objection.

**SB 612** (Van de Putte - House Sponsor), A bill to be entitled An Act relating to certain nursing home services funded through the state Medicaid program. (Corte recorded voting no)

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Maxey offered the following committee amendment to the bill:

Amend **SB 612** as follows:

(1) In Section 1 of the bill, Subchapter B, Chapter 32, of the Human Resources Code, (line 12) insert "minority" before "community" to read as follows:

"minority community."

**Amendment No. 2**

Representative Kubiak offered the following amendment to Amendment No. 1:



Amend Committee Amendment No. 1 to **SB 612** by striking the text of Committee Amendment No. 1 and substituting the following:

At the end of Section 32.0245, Human Resources Code, as added by the bill (House Committee Report, page 1, line 12), strike "community." and substitute:

minority community or rural community. In this section, "rural community" means a community with a population of less than 35,000.

Amendment No. 2 was adopted without objection.

Amendment No. 1, as amended, was adopted without objection.

### **Amendment No. 3 (Committee Amendment No. 2)**

On behalf of Representative Hilderbran, Representative Van de Putte offered the following committee amendment to the bill:

Amend **SB 612** as follows:

Add a new SECTION 2 to read as follows, and renumber the subsequent sections accordingly.

"SECTION 2. Sec. 32.0245, Human Resources Code, as added by this Act expires on January 1, 1997."

Amendment No. 3 was adopted without objection.

**SB 631** was withdrawn.

**SB 634** (Counts - House Sponsor), A bill to be entitled An Act relating to the regulation of real estate appraisers.

**SB 636** (Hamric - House Sponsor), A bill to be entitled An Act relating to a suit filed seeking to withhold information requested under the open records law and to the parties to the suit. (T. Hunter recorded voting no)

**SB 676** (Raymond - House Sponsor), A bill to be entitled An Act relating to the prosecution for theft of certain pesticides.

**SB 698** (Greenberg - House Sponsor), A bill to be entitled An Act relating to the statute of limitations for the offense of securing execution of a document by deception.

**SB 752** (H. Cuellar - House Sponsor), A bill to be entitled An Act relating to regulation of businesses conducting currency exchange, transportation, or transmission; creating offenses and providing penalties.

### **Amendment No. 1**

Representative H. Cuellar offered the following amendment to the bill:

Amend **SB 752** as follows:

(1) Strike SECTION 3 of the bill (House committee printing, page 2, line 4, through page 3, line 23), and substitute the following:

SECTION 3. Section 3, Article 350, Revised Statutes, is amended by amending Subsection (c) and adding Subsection (f) to read as follows:

(c) A retailer, wholesaler, or service provider who, in the ordinary course of business, accepts currency of a country or government other than the United States in payment for goods sold or services provided is eligible for an

exemption from licensing under this article. A person requesting an exemption under this subsection must notify [annually file an application with] the commissioner in writing that the person qualifies for and intends to take advantage of the exemption and must certify that the person's currency exchange activities will be consistent with continued eligibility~~[, accompanied by a nonrefundable license exemption application fee in an amount to be set by the commissioner to recover the cost of administering this subsection. The commissioner shall grant an exemption to a person under this subsection if the commissioner determines that the person making the request is eligible under this subsection]~~. The commissioner in accordance with the examination provisions of this article may examine a person to verify the exempt status. The retailer, wholesaler, or service provider is not eligible for an exemption ~~[may not be exempted under this subsection or an exemption may be suspended or revoked]~~ if:

(1) the value of the goods or services purchased in a single transaction exceeds \$10,000;

(2) the change given or made as a result of the transaction exceeds \$100;

(3) an attempt is made to structure transactions in a way to evade the licensing requirements of this article or to avoid using a licensed currency exchange business;

(4) the retailer, wholesaler, or service provider is engaged in the business of cashing checks, drafts, or other monetary instruments for a fee or other consideration and is not otherwise exempted from licensing under this article; or

(5) the retailer, wholesaler, or service provider would not be eligible for a license under Section 8 of this article.

(f) A person engaged in the business of currency transportation who holds a permit issued under Section 6-dd, Chapter 314, Acts of the 41st Legislature, Regular Session, 1929 (Article 911b, Vernon's Texas Civil Statutes), is not required to be licensed under this article, provided that such a permit does not authorize the person to engage in the business of currency exchange or transmission without a license issued under this article.

(2) Strike SECTION 4 of the bill (House committee printing, page 3, line 24, through page 4, line 10), and substitute the following:

SECTION 4. Section 8, Article 350, Revised Statutes, is amended by amending Subsections (c) and (d) and adding Subsections (e) and (f) to read as follows:

(c) A person is not eligible for a license or must surrender an existing license if, during the previous 10 years:

(1) [;] the person or a principal of the person, if a business:

(A) [(+)] has been convicted of a felony or a crime involving moral turpitude under the laws of this state, any other state, or the United States;

(B) [(2)] has been convicted of a crime under the laws of another country that involves moral turpitude or would be a felony if committed in the United States; or

(C) has been convicted under a state or federal law relating

to currency exchange or transmission or any state or federal monetary instrument reporting requirement; or

(2) the person, a principal of the person, or the spouse of the person or a principal of the person has been convicted of an offense under a state or federal law relating to drugs, drug trafficking, money laundering, or immigration or a reporting requirement of the Bank Secrecy Act (Pub. L. 91-508)

[(3) owes delinquent taxes to any local, state, or federal taxing entity].

(d) An applicant for a license or renewal of a license must demonstrate that the applicant:

(1) has not recklessly failed to file or evaded the obligation to file a currency transaction report as required by 31 U.S.C. Section 5313 during the previous three years;

(2) has not recklessly accepted currency for exchange or transmission during the previous three years in which a portion of the currency was derived from an illegal transaction or activity;

(3) will conduct its currency exchange or transmission business within the bounds of state and federal law; ~~and~~

(4) warrants the trust of the community;

(5) has and will maintain a minimum net worth of \$25,000, computed according to generally accepted accounting principles for each location at which currency is accepted for transmission, except that an applicant for a license or renewal of a license may not be required to maintain a net worth of more than \$1 million, computed according to generally accepted accounting principles; and

(6) does not owe delinquent taxes, fines, or fees to any local, state, or federal taxing authority or governmental agency, department, or other political subdivision.

(e) A person is not eligible for a license, and a person who holds a license shall surrender the license to the commissioner, if the person or a principal of the person has at any time been convicted of:

(1) a felony under Chapter 34, Penal Code, or a similar provision of the laws of another state or the United States involving the laundering of money that is the product of or proceeds from criminal activity; or

(2) a felony violation of 31 U.S.C. Section 5313 or 5324 or a rule adopted under those sections.

(f) Before approving an application for a license, the Banking Department may investigate an applicant or principal of an applicant at the sole expense of the applicant and may require the applicant to pay a nonrefundable payment of the anticipated expenses for conducting the investigation. Failure to make the payment or cooperate with the investigation is grounds for denying the application.

(3) Strike SECTION 9 of the bill (House committee printing, page 8, line 14), and substitute the following:

SECTION 9. This Act takes effect September 1, 1995, except that a person is not required to meet the minimum net worth requirements of Section 8(d)(5), Article 350, Revised Statutes, as amended by this Act, until January 1, 1996.

(4) Add the following appropriately numbered sections to the bill and renumber the sections of the bill appropriately:

SECTION \_\_\_\_\_. Section 1(10), Article 350, Revised Statutes, is amended to read as follows:

(10) "Principal" means an owner, officer, director, partner, trustee, agent, or other person participating in the conduct of the affairs of a licensee or exercising supervisory duties.

SECTION \_\_\_\_\_. Article 350, Revised Statutes, is amended by adding Section 22 to read as follows:

Sec. 22. DECEPTIVE NAME OR ADVERTISING. (a) A licensee who advertises the prices to be charged by the currency exchange or currency transmission business for services that are governed by this article must specifically state in the advertisement all fees or commissions to be charged to the consumer.

(b) The commissioner by rule may establish requirements for the size and type of lettering a licensee must use in an advertisement for prices or rates.

(c) A person who violates this section or a rule adopted under this section commits a false, misleading, or deceptive act or practice within the meaning of Subsections (a) and (b), Section 17.46, Business & Commerce Code.

(d) A corporate licensee may not use the same name as, or a name deceptively similar to, the name of any domestic corporation existing under the laws of this state, or the name of any foreign corporation authorized to transact business in this state, except as provided by the Texas Business Corporation Act.

SECTION \_\_\_\_\_. Section 4, The Sale of Checks Act (Article 489d, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 4. EXEMPTION FROM LICENSING. (1) No license to sell checks as aforesaid shall be required hereunder of any of the following:

(a) Banks, credit unions, building and loan associations, and savings and loan associations, whether organized under the laws of this state or of the United States; provided, however, that they do not issue or sell checks, other than traveler's checks, off premises and that they do not issue or sell checks, other than traveler's checks, through agents who are not directly or indirectly owned by them;

(b) Incorporated telegraph companies insofar as they receive money at any of their respective offices or agencies for immediate transmission by telegraph;

(c) Agents of a licensee, as provided in Section 11; [or]

(d) The United States or any department or agency of the United States;

(e) With the prior written consent of the Commissioner, a person holding a license under Article 350, Revised Statutes, if:

(i) the person has a net worth not less than \$250,000 and meets all other licensing requirements of this Act;

(ii) the person maintains a bond in accordance with Section 7, except that the minimum principal amount of the bond shall be \$350,000; and

(iii) the person sells checks only in conjunction with a currency exchange or transmission transaction, as defined by Article 350, Revised Statutes, and segregates all proceeds from the sale of checks.

(2) A person governed by Subsection (1)(e) of this section is subject to all other provisions of this Act to the extent the person engages in the business

of selling checks and to rules adopted by the Commissioner to administer and carry out Subsection 1(e) of this section, including rules to:

(a) define or further define terms used in Subsection 1(e) of this section; and

(b) establish limits or requirements pertaining to bonding, net worth, and the sale of checks activities of a person under Subsection 1(e) of this section other than those specified by that subsection.

Amendment No. 1 was adopted without objection.

**SB 783** (Kuempel - House Sponsor), A bill to be entitled An Act relating to the right of a person leasing property to administrative and judicial review of a determination of the appraised value of the property for ad valorem taxation.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Marchant, Representative Kuempel offered the following committee amendment to the bill:

Amend **SB 783** as follows:

(1) On line 8, between "leasing" and "property", insert "tangible personal"

(2) Insert new subsection (b) to read as follows:

(b) A person leasing real property who is contractually obligated to reimburse the property owner for taxes imposed on the property is entitled to protest before the appraisal review board a determination of the appraised value of the property if the property owner does not file a protest relating to the property. The protest provided by this subsection is limited to a single protest by either the property owner or the lessee.

(3) Renumber following subsections appropriately.

Amendment No. 1 was adopted without objection.

**SB 805** (Farrar - House Sponsor), A bill to be entitled An Act relating to exempting certain youth camps from child-care licensing requirements.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Naishtat, Representative Farrar offered the following committee amendment to the bill:

Amend **SB 805** as follows:

(1) In SECTION 1, Sec. 42.041(b)(13), delete the word "or".

(2) In SECTION 1, Sec. 42.041(b)(14), delete the period after the word "homeless" and substitute "; or".

(3) In SECTION 1, add a new Sec. 42.041(b)(15) to read as follows:

"(15) a facility or program operated by an incorporated municipality."

Amendment No. 1 was adopted without objection.

**SB 871** (Carona - House Sponsor), A bill to be entitled An Act relating to the appeal of orders of and civil penalties assessed by the Consumer Credit Commissioner.

**CSSB 886** (Place - House Sponsor), A bill to be entitled An Act relating to certain procedures for the handling of a case in a justice or municipal court.

**SB 896** (Uher - House Sponsor), A bill to be entitled An Act relating to a vehicle left unattended on a controlled access highway.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Uher, Representative Rodriguez offered the following committee amendment to the bill:

Amend Line 16 of **SB 896** by:  
Change "12 hours" to "24 hours"

Amendment No. 1 was adopted without objection.

**SB 913** (Naishtat - House Sponsor), A bill to be entitled An Act relating to retaliation against a resident of a nursing home or related institution for reports of abuse or neglect.

**Amendment No. 1**

Representative Hartnett offered the following amendment to the bill:

Amend **SB 913** in Section 1 of the bill in Section 242.1335 Health and Safety Code (House Committee Report page 1, after line 23) by adding a new subsection (e) to read as follows:

"(e) Notwithstanding Chapter 41, Civil Practice and Remedies Code, exemplary damages awarded under this section may not exceed \$25,000."

Amendment No. 1 was adopted without objection.

**SB 915** was withdrawn.

**SB 918** (Shields - House Sponsor), A bill to be entitled An Act relating to the appeal from a justice or municipal court in a criminal case.

**SB 919** (Place - House Sponsor), A bill to be entitled An Act relating to reporting of stolen vehicles.

**SB 944** (Goolsby - House Sponsor), A bill to be entitled An Act relating to an exemption from certain testing and remedial coursework for a student with dyslexia or a related disorder who enters a public institution of higher education.

**SB 1020** (Allen - House Sponsor), A bill to be entitled An Act relating to the transfer of certain programs from the governor's office.

**SB 1044** (Yarbrough - House Sponsor), A bill to be entitled An Act relating to elevator inspections; providing penalties. (T. Hunter recorded voting no)

**Amendment No. 1**

Representative Yarbrough offered the following amendment to the bill:

Amend **SB 1044** as follows:

(1) On page 4, line 3, between "that" and "the", insert "is open to"; between "the" and "public", insert "general"; and by bracketing and striking through "is generally invited to use".

(2) On page 4, line 25, between "commissioner" and "grant", strike "may" and substitute "shall".

(3) On page 9, line 25, after "FEE.", insert "(a)".

(4) On page 10, between lines 3 and 4, add new subsection (b) to read as follows: (b) The amount charged for an inspection or the performance of an inspection may not be contingent on the existence of a maintenance contract between the person performing the inspection and any other person."

(5) On page 11, line 1, between "elevator" and "escalator", insert ", " and bracket and strike through "or"; after "escalator", insert "escalator, or related equipment".

(6) On page 11, line 25, between "elevators" and "be", insert ", escalators, or related equipment".

Amendment No. 1 was adopted without objection.

**SB 1046** (Pitts - House Sponsor), A bill to be entitled An Act relating to the electronic availability of the Texas Administrative Code.

**SB 1058** (Bosse - House Sponsor), A bill to be entitled An Act relating to the authority of the Texas Department of Transportation to procure certain services by competitive sealed proposal.

#### **Amendment No. 1**

Representative Bosse offered the following amendment to the bill:

Amend **SB 1058** in SECTION 1 by adding a new Subsection (h) to read as follows:

(h) This section does not apply to services defined as engineering by the Board of Registration for Professional Engineers under Article 3271a, Vernon's Texas Civil Statutes, the Texas Engineering Practice Act.

Amendment No. 1 was adopted without objection.

**SB 1092** (De La Garza - House Sponsor), A bill to be entitled An Act relating to the treatment for tax purposes of property held and used for a public purpose under an interlocal contract between political subdivisions.

**CSSB 1128** (H. Cuellar - House Sponsor), A bill to be entitled An Act relating to the deposit, investment, safekeeping, and records and reports of, and collateral requirements for the deposit of, funds held by the state treasurer.

**SB 1175** (Naishtat - House Sponsor), A bill to be entitled An Act relating to advocates for survivors of sexual assault and to confidential communications; providing a criminal penalty.

**SB 1177** (Hamric - House Sponsor), A bill to be entitled An Act relating to filings made with the secretary of state by public safety organizations, public safety publications, and certain independent promoters.

**SB 1178** (Kubiak - House Sponsor), A bill to be entitled An Act relating to the regulation of athlete agents and providing for the issuance of subpoenas and other process in investigations by the secretary of state.

**SB 1179** (Hamric - House Sponsor), A bill to be entitled An Act relating to veterans organizations filing with the secretary of state.

**SB 1182** (Hamric - House Sponsor), A bill to be entitled An Act relating to certain reports filed with the Office of the Secretary of State.



**SB 1197** (Counts and Combs - House Sponsors), A bill to be entitled An Act relating to a special judge serving a county court.

**SB 1217** (Pitts - House Sponsor), A bill to be entitled An Act relating to notification of certain interest holders and owners of seized contraband in forfeiture proceedings; providing that asset forfeiture is remedial in nature rather than punitive.

**SB 1222** (Averitt - House Sponsor), A bill to be entitled An Act relating to the payment of interest to designated beneficiaries.

**SB 1252** (Coleman - House Sponsor), A bill to be entitled An Act relating to information to be provided on application for original, renewal, or duplicate driver's licenses and personal identification cards; requiring all license applicants, including applicants younger than 17 years of age, to provide fingerprints and other required information.

**SB 1276** (Place - House Sponsor), A bill to be entitled An Act relating to the creation and administration of the Crime Victims' Institute and advisory council and the Crime Victims' Institute account.

#### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business:

Wilson on motion of Uher.

#### **CONSENT BILLS CALENDAR - (consideration continued)**

**SB 1301** (Berlanga - House Sponsor), A bill to be entitled An Act relating to physician licensing, including the notice and late fee requirements for the annual registration of physician licenses, the temporary licensure of certain out-of-state physicians, and the licensure of certain international medical graduates.

**SB 1314** (Bosse - House Sponsor), A bill to be entitled An Act relating to the regulation and licensing of wholesale motor vehicle auctions.

**SB 1337** (Luna - House Sponsor), A bill to be entitled An Act relating to policies and procedures of the Commission on Law Enforcement Officer Standards and Education, including the appointing and licensing of officers and continuing education training requirements; providing a penalty.

**SB 1338** (Thompson - House Sponsor), A bill to be entitled An Act relating to the administration of the judicial and court personnel training fund.

**SB 1363** (Siebert - House Sponsor), A bill to be entitled An Act relating to required protective headgear for motorcycle operators and passengers.

**CSSB 1366** (Longoria - House Sponsor), A bill to be entitled An Act relating to the duties of the county tax assessor-collector and county clerk.

Representative Longoria moved to postpone consideration of **CSSB 1366** until the end of the calendars.

The motion prevailed without objection.



**SB 1396** (Dukes and Maxey - House Sponsors), A bill to be entitled An Act relating to altering the annexation status of land in certain municipal utility districts and authorizing the collection of municipal sales taxes in the districts.

**Amendment No. 1**

Representative Dukes offered the following amendment to the bill:

Amend **SB 1396** as follows:

On page 3, after line 10, add a new subsection (c) to read as follows and renumber subsequent subsections:

"(c) Upon the request of any residents of a district subject to this section the municipality may conduct an election on a uniform election date at which election voters who are residents of the district may vote for or against a ballot proposal to dissolve the district. If more than one district was created on the same date and the districts are contiguous, the election shall be a combined election of all such districts, with a majority of votes cast by all residents of the districts combined required for dissolution of the districts. If a majority of votes are in favor of dissolution, the date of dissolution shall be December 31 of the same year in which the election is held. Upon dissolution of the district, all property and obligations of a dissolved district become the responsibility of the municipality."

On page 4, beginning on line 10, delete "\$800,000 for" and substitute "than reasonable and actual"

On page 4, line 17, between the word "district" and the word "must" add the following:

"may not use bond proceeds to pay for impact fees but"

Amendment No. 1 was adopted without objection.

**SB 1397** (Dukes - House Sponsor), A bill to be entitled An Act relating to the release of extraterritorial jurisdiction over a tract of land by certain municipalities and the inclusion of that tract in the extraterritorial jurisdiction of another municipality. (Finnell recorded present, not voting)

**SB 1407** (Driver - House Sponsor), A bill to be entitled An Act relating to contractual arrangements among health maintenance organizations, physicians, and other providers.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Driver offered the following committee amendment to the bill:

Amend **SB 1407**, Engrossed, as follows:

(1) On page 3, line 19, between "those" and "physicians", insert "other health maintenance organizations or".

(2) On page 3, line 24, between "with" and "physicians", insert "other health maintenance organizations or".

(3) On page 3, line 25, after "such", insert "health maintenance organizations".

(4) On page 5, line 12, strike "or arranges for the delivery of".

(5) On page 5, line 14, strike "furnishes or arranges for" and substitute "is engaged in".

(6) On page 6, strike lines 11-16 and substitute "Except for Articles 21.07-6 and Article 21.58A, Insurance Code, [Notwithstanding any other law, provisions of] the insurance laws, including [law and the provisions of] the group hospital service corporation law, do not apply [shall not be applicable] to physicians and providers [the above persons, professional associations, or nonprofit corporations]; provided that Article 21.58A shall not apply to utilization review undertaken by a physician or provider in the ordinary course of treatment of patients by a physician or provider pursuant to a joint or delegated review agreement or agreements with a health maintenance organization on services rendered by the physician or provider."

(7) On page 6, line 23, after "arrangement" insert "within a health maintenance organization delivery network".

(8) On page 6, line 24, strike "8" and substitute "9".

(9) On page 6, line 24, through page 7, line 2, strike "if the contractual arrangement is entered into in furtherance of the delivery of health care services or medical care through a contractual arrangement with a health maintenance organization".

Amendment No. 1 was adopted without objection.

**SB 1435** (Horn - House Sponsor), A bill to be entitled An Act relating to joint ownership of a motor vehicle by spouses with rights of survivorship.

**SB 1437** (Goodman - House Sponsor), A bill to be entitled An Act relating to the county registration of dogs.

**CSSB 1439** (Goodman - House Sponsor), A bill to be entitled An Act relating to the nonsubstantive codification of provisions relating to arbitration.

**CSSB 1502** (R. Cuellar - House Sponsor), A bill to be entitled An Act relating to the regulation of the practice of cosmetology.

**SB 1514** (Uher - House Sponsor), A bill to be entitled An Act relating to the inclusion of the services of licensed psychological associates in health insurance coverage.

**SB 1535** (S. Turner - House Sponsor), A bill to be entitled An Act relating to allowance of prior service credit in a retirement plan for certain police officers.

**SB 1549** (Kamel - House Sponsor), A bill to be entitled An Act relating to revenue obligations of junior college districts or regional college districts.

**SB 1554** (Telford - House Sponsor), A bill to be entitled An Act relating to the eligibility for training and certification as a medication aide.

**SB 1601** (S. Turner - House Sponsor), A bill to be entitled An Act relating to the creation, administration, powers, and duties of the Westchase Area Management District; granting the authority to issue bonds; authorizing a tax.

**SB 1619** (Howard - House Sponsor), A bill to be entitled An Act relating to the authority of the Texas Natural Resource Conservation Commission to enter property, remediate certain conditions related to hazardous substances, and recover costs associated with remediation, to the authority of commission contractors to enter property, and to the liability of certain contractors who sign a waste manifest.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative B. Turner, Representative Howard offered the following committee amendment to the bill:

Amend **SB 1619** (Senate Engrossment) as follows:

(1) In SECTION 1 of the bill, Section 26.014, Water Code (effective until delegation of NPDES permit authority) (page 1, lines 13, 17, and 22-23), strike "or cross".

(2) In SECTION 1 of the bill, Section 26.014, Water Code (effective until delegation of NPDES permit authority) (page 2, line 6), strike "or to cross".

(3) In SECTION 2 of the bill, Section 26.014, Water Code (effective on delegation of NPDES permit authority) (page 2, lines 14, 19, and 25), strike "or cross".

(4) In SECTION 2 of the bill, Section 26.014, Water Code (effective on delegation of NPDES permit authority) (page 3, line 6), strike "or to cross".

(5) In SECTION 3 of the bill, Section 361.032, Health and Safety Code (page 3, lines 17 and 23), strike "or cross".

(6) In SECTION 3 of the bill, Section 361.032, Health and Safety Code (page 4, line 2), strike "or cross".

Amendment No. 1 was adopted without objection.

**SB 1632** (Luna - House Sponsor), A bill to be entitled An Act relating to the sale and exchange of lands by certain navigation districts.

**SB 1646** (Coleman - House Sponsor), A bill to be entitled An Act relating to the ability of a public housing authority to sponsor a public facility corporation.

**Amendment No. 1**

Representative Coleman offered the following amendment to the bill:

Amend **SB 1646** by striking Section 3 of the bill.

Amendment No. 1 was adopted without objection.

**SB 1670** (Rodriguez - House Sponsor), A bill to be entitled An Act relating to the regulation of certain amateur boxing events.

**SB 1679** was withdrawn.

**SB 1681** (Pitts - House Sponsor), A bill to be entitled An Act relating to authorizing the Texas National Research Laboratory Commission to contract with a special utility district.

**SB 1691** (Naishtat - House Sponsor), A bill to be entitled An Act relating to the conveyance of certain real property by the Austin Independent School District to the Austin Community College District.

**SB 1694** (Bailey - House Sponsor), A bill to be entitled An Act relating to the administration, powers, and duties of the Greater Greenspoint Management District of Harris County and political subdivisions contracting with the district, including the powers to issue bonds and levy taxes.

**SB 1695** (Johnson - House Sponsor), A bill to be entitled An Act relating to emergency management.

**SB 1701** (McCall - House Sponsor), A bill to be entitled An Act relating to the designation of State Highway 190 in Dallas, Collin, and Denton counties as the President George Bush Highway.

**SB 1705** (De La Garza - House Sponsor), A bill to be entitled An Act relating to the creation of an emergency services district and simultaneous dissolution of a rural fire prevention district. (R. Cuellar and Gutierrez recorded voting no)

### **RESOLUTIONS CALENDAR**

The chair laid before the house the following resolutions on committee report:

**SCR 38** (Naishtat - House Sponsor), Memorializing the Congress of the United States to enact legislation to amend the food stamp program by adding a special provision to allow food stamps workers to reissue food stamp benefits to family members fleeing from domestic violence.

The resolution was adopted without objection.

**SCR 89** (Rabuck - House Sponsor), Directing the Texas Department of Transportation to repair and maintain in a safe condition for highway traffic the suspension bridges in Shackelford, Mills, and San Saba counties.

#### **Amendment No. 1**

On behalf of Representative Davis, Representative Rabuck offered the following amendment to the resolution:

Amend **SCR 89** as follows:

(1) In the second Whereas clause, after "North Central Texas" insert "and the Corinth Street Viaduct in Dallas County".

(2) In the first Resolved clause, after "highway traffic" insert "the Corinth Street viaduct in Dallas County and".

Amendment No. 1 was adopted without objection.

The resolution, as amended, was adopted without objection.

**SCR 101** (Talton - House Sponsor), Designating the battleship Texas as the official State Ship of Texas.

#### **Amendment No. 1**

Representative Talton offered the following amendment to the resolution:

Amend **SCR 101** as follows:

On page 2, line 23, between "the" and "Texas", strike "U.S.S." and substitute "battleship".

Amendment No. 1 was adopted without objection.

The resolution, as amended, was adopted without objection.

**SCR 124** (Rodriguez - House Sponsor), Directing the Texas Higher Education Coordinating Board to study the feasibility of establishing regional areas of principal responsibility for health professions education.

The resolution was adopted without objection.

**SCR 136** (Stiles - House Sponsor), Designating the week of each year that begins with Father's Day as Texas Prostate Cancer Awareness Week.

**Amendment No. 1**

Representative Stiles offered the following amendment to the resolution:

Amend **SCR 136** by striking it in its entirety and substituting the following:

**RESOLUTION**

WHEREAS, Each year 13,000 men in Texas are diagnosed with prostate cancer, causing it to be a major public health problem; and

WHEREAS, Prostate cancer is the second leading cause of cancer deaths for Texas men, with 2,200 men dying each year or about 11 percent of all cancer deaths among men in Texas; and

WHEREAS, Early detection of prostate cancer is critical to the preservation of life and health care strategies for those at risk of prostate cancer; and

WHEREAS, the American Cancer Society recommends that every man age 40 and older should have a digital rectal examination as part of his regular annual physical checkup, and every man age 50 and older should have an annual prostate-specific antigen blood test; and

WHEREAS, The American Cancer Society reports that survival rates for all stages of prostate cancer have steadily improved, increasing from 50 percent to 80 percent in the past 30 years; and

WHEREAS, African-American Texans have the highest incidence and mortality rates from prostate cancer; and

WHEREAS, It is in the public interest of this state to promote public awareness of the benefits and values of the early detection, prevention, and treatment of prostate cancer; and

WHEREAS, Improved public awareness of the disparity in funding for prostate cancer research, as compared to the research funding for other major killer diseases, will help bring a halt to this inequity and thereby save men's lives; and

WHEREAS, The Congress of the United States of America has designated a week as Prostate Cancer Awareness Week in an effort to promote education, awareness, and understanding of this disease, and it is appropriate for the Lone Star State to join men, their families, and loved ones throughout Texas in recognizing the importance of this disease; now, therefore, be it

**RESOLVED**, That the 74th Legislature of the State of Texas hereby designates the week of each year that begins with Father's Day as Texas Prostate Cancer Awareness Week, to promote the early detection and treatment of prostate cancer, for the preservation of lives, and to encourage men to have an annual examination.

Amendment No. 1 was adopted without objection.

The resolution, as amended, was adopted without objection.

**SCR 146** (Maxey - House Sponsor), Directing that the new girl's dormitory on the campus of the Texas School for the deaf be named Emily Lewis Hall.

The resolution was adopted without objection.

**SCR 147** (Maxey - House Sponsor), Directing that the Vocation Annex on the campus of the Texas School for the Deaf be designated the Kleberg Building.

The resolution was adopted without objection.

**SCR 148** (Maxey - House Sponsor), Directing that the Vocational School on the campus of the Texas School for the Deaf be named the John Salmon Ford Building.

The resolution was adopted without objection.

**SCR 149** (Maxey - House Sponsor), Directing that the Upper School Library on the Campus of the Texas School for the Deaf be named the Jack Hoit Hensley Library.

The resolution was adopted without objection.

By Yost,

**HR 789**, Proclaiming Gladewater as the Antique Capital of East Texas.

The resolution was adopted without objection.

By Kubiak,

**HCR 205**, Designating September as State Noodle Cook-Off Month in Lee County.

The resolution was adopted without objection.

By Eiland,

**HCR 209**, Designating the Lone Star Flight Museum of Galveston the Texas Aviation Hall of Fame.

The resolution was adopted without objection.

### **MESSAGE FROM THE SENATE**

Austin, Texas, May 24, 1995

The Honorable Speaker of the House of Representatives  
House Chamber

The Honorable  
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

**HB 3193** by Saunders (Sponsor-Wentworth), relating to the creation, administration, powers, duties, operation, and financing of the Southwest Travis County Water District (amended).

### **Local and Uncontested Bills**

**HCR 127** by Finnell, Gutierrez, Harris, Jack, Berlanga, Craddick, et al. (Sponsor-Armbrister), memorializing the Congress of the United States to permit states to establish a 65 mph speed limit on certain highways.

**HCR 128** by Finnell, et al. (Sponsor-Haywood), re-creating the Red River Boundary Commission.

**HB 331** by Hirschi (Sponsor-Rosson), relating to certain public information regarding commercial property rating.

**HB 333** by Uher (Sponsor-Brown), relating to authorizing a deed-of-trust foreclosure after accepting a deed in lieu of foreclosure.

**HB 336** by Goodman, Thompson, and Combs (Sponsor-Harris, Chris), relating to proceedings to prove certain informal marriages.

**HB 340** by Counts, et al. (Sponsor-Zaffirini), relating to directing the Texas Veterans Commission to determine the need for a system of state residential care facilities for veterans who are disabled.

**HB 347** by Hunter, Todd, et al. (Sponsor-Truan), relating to insurance coverage for certain real property foundations.

**HB 457** by Black (Sponsor-Sims), relating to the exemption of certain miniature boilers from registration and certification requirements.

**HB 496** by Hunter, Bob, Bosse, Luna, Vilma, Thompson, et al. (Sponsor-Whitmire), relating to the issuance of special license plates for certain vehicles owned by certain foreign organizations.

**HB 609** by Brimer, Wohlgemuth, et al. (Sponsor-Ellis), relating to the use of municipal hotel occupancy tax revenue.

**HB 740** by Farrar (Sponsor-Ellis), relating to the sale by certain home-rule municipalities of land sold pursuant to foreclosure of an ad valorem tax lien.

**HB 741** by Farrar (Sponsor-Ellis), relating to the liability of certain municipalities for a claim arising from land acquired at a sale following the foreclosure of a lien held by the municipality.

**HB 742** by Farrar (Sponsor-Ellis), relating to the resale of certain land acquired by a political subdivision (amended).

**HB 824** by Uher (Sponsor-Armbrister), relating to the creation of a statutory county court in Matagorda County.

**HB 828** by Craddick (Sponsor-Madla), relating to the authority of a county to regulate certain fireworks.

**HB 841** by Denny (Sponsor-Haywood), relating to depositories for trust funds held by county and district clerks.

**HB 1048** by Maxey, Hirschi, McDonald, Delisi, Berlanga, et al. (Sponsor-Patterson, Jerry), relating to the creation of the Texas Health Care Information Council; providing civil penalties (committee substitute).

**HB 1124** by Finnell (Sponsor-Armbrister), relating to the investigation of certain railroad crossing violations reported by a railway employee.

**HB 1205** by Place (Sponsor-Brown), relating to the funding of the Texas Real Estate Research Center from certain real estate broker and salesman fees.

**HB 1225** by Carona and Hilbert (Sponsor-Henderson), relating to registration and insurance requirements for a former military vehicle.

**HB 1366** by Dutton (Sponsor-Nixon, Drew), relating to information in county records and on death certificates concerning places in which remains are interred; providing civil penalties (committee substitute).

**HB 1385** by Saunders (Sponsor-Sims), relating to the limitation and termination of annual cost recovery fees for regional water quality assessments.

**HB 1417** by Turner, Sylvester (Sponsor-Whitmire), relating to benefits for certain survivors of deceased police officers under the police officers' pension systems of certain cities.



**HB 1454** by Talton (Sponsor-Patterson, Jerry), relating to requirements for certain political subdivisions that acquire real property held in trust (amended).

**HB 1481** by McCall, Madden, and Denny (Sponsor-Shapiro), relating to the county courts at law of Collin County (amended).

**HB 1491** by Sadler (Sponsor-Nixon, Drew), relating to partner notification programs for persons with human immunodeficiency virus infections.

**HB 1495** by Rodriguez (Sponsor-Madla), relating to the right of certain persons to obtain information concerning a hearing for court-ordered mental health services.

**HB 1510** by Duncan (Sponsor-Montford), relating to the fee for the university center at Texas Tech University.

**HB 1536** by Lewis, Ron, et al. (Sponsor-Brown), relating to the beneficial use of material dredged from the Gulf Intracoastal Waterway.

**HB 1537** by Craddick (Sponsor-Brown), relating to the calculation of the effective tax rate for taxing units.

**HB 1544** by Hiderbran (Sponsor-Wentworth), relating to the designation of a portion of United States Highway 290 as the Pearl Harbor Memorial Highway.

**HB 1604** by Glaze (Sponsor-Patterson, Jerry), relating to the regulation of emergency medical services providers and of training programs for those providers.

**HB 1605** by Hunter, Todd (Sponsor-Sibley), relating to the licensing of insurance agents.

**HB 1642** by Patterson, L. P. "Pete" (Sponsor-Ratliff), relating to the county court at law in Hopkins County (amended).

**HB 1648** by Place (Sponsor-Brown), relating to the criminal jurisdiction of justice courts and certain municipal courts.

**HB 1651** by Chisum (Sponsor-Bivins), relating to the expansion of the Higgins Hospital District of Lipscomb County to include the territory included in the Lipscomb Hospital District of Lipscomb County and to the name of the expanded district (amended).

**HB 1661** by Turner, Sylvester, and Greenberg (Sponsor-Ellis), relating to the adoption of the Texas Uniform Unincorporated Nonprofit Association Act.

**HB 1670** by Driver (Sponsor-Shapiro), relating to the assignment of certain insurance agents' commissions.

**HB 1717** by Turner, Sylvester (Sponsor-Whitmire), relating to benefits payable by retirement systems for police officers in certain municipalities.

**HB 1757** by Patterson, L. P. "Pete" (Sponsor-Lucio), relating to municipal regulation of certain agricultural operations, including facilities that breed animals and fowl.

**HB 1875** by Turner, Sylvester (Sponsor-Whitmire), relating to cost-of-living increases paid to annuitants of retirement systems and for police officers in certain municipalities.

**HB 1882** by Solomons (Sponsor-Haywood), relating to installment payments of ad valorem taxes imposed on the residence homestead of a disabled person.

**HB 1943** by Thompson (Sponsor-Henderson), relating to the fee for production or certification of documents.



**HB 2008** by Clemons (Sponsor-Nixon, Drew), relating to credit in the Texas County and District Retirement System for service as a prosecuting attorney.

**HB 2022** by Berlanga (Sponsor-Zaffirini), relating to the construction of laboratory and office facilities for the Texas Department of Health; granting authority to issue a bond.

**HB 2053** by Price (Sponsor-Lucio), relating to the identification of a motor vehicle that is issued exempt license plates.

**HB 2187** by Kamel, Telford, Yost, Ramsay, Sadler, et al. (Sponsor-Ratliff), relating to coordination between The University of Texas at Tyler and other institutions of higher education.

**HB 2304** by Hochberg and Combs (Sponsor-Nelson), relating to the availability of the Texas Register and the Texas Administrative Code.

**HB 2373** by Junell (Sponsor-Montford), relating to recommendations to the legislature by the supreme court concerning appellate courts.

**HB 2401** by Thompson (Sponsor-Harris, Chris), relating to certain estate, guardianship, and trust matters.

**HB 2432** by Serna (Sponsor-Rosson), relating to the day of the week on which the commissioners court of a county may meet.

**HB 2463** by Junell (Sponsor-Montford), relating to the taking of an oath by a special judge serving a county court.

**HB 2496** by Kubiak, et al. (Sponsor-Armbrister), relating to funding of mass transportation projects.

**HB 2574** by Uher and Saunders (Sponsor-Armbrister), relating to the responsibilities of the Matagorda County Attorney and creating the office of district attorney for the 329th Judicial District in Wharton County.

**HB 2579** by Howard (Sponsor-Brown), relating to the abolition of the interagency coordination council.

**HB 2588** by Alexander, et al. (Sponsor-Armbrister), relating to the establishment of rural and urban transit districts.

**HB 2613** by Craddick (Sponsor-Montford), relating to the exemption from ad valorem taxation of property owned by a religious organization.

**HB 2640** by Madden (Sponsor-Nelson), relating to uniform dates for adding or dropping a course conducted by a public junior college.

**HB 2658** by Hilderbran and Naishtat (Sponsor-Galloway), relating to the name, function, and duties of the Texas Committee on Purchases of Products and Services of Blind and Severely Disabled Persons.

**HB 2661** by Willis (Sponsor-Harris, Chris), relating to the requirement that certain offices of an appraisal review board not be located in the same building in which an office of an appraisal district is located.

**HB 2669** by Crabb (Sponsor-Nelson), relating to the regulation by the Texas State Board of Medical Examiners of certain physicians located in other jurisdictions who perform acts constituting the practice of medicine in this state.

**HB 2673** by Thompson (Sponsor-Henderson), relating to the imposition and collection of additional court costs in certain counties.

**HB 2684** by Turner, Sylvester (Sponsor-Whitmire), relating to the removal of a member of the board of a police officers' pension system in certain cities.

**HB 2686** by Turner, Sylvester (Sponsor-Whitmire), relating to administration of and adoption of rules by retirement systems for police officers in certain municipalities.

**HB 2698** by McDonald, Hilderbran, and Naishtat (Sponsor-Zaffirini), relating to the provision of long-term care services.

**HB 2754** by Pitts (Sponsor-Armbrister), relating to transportation of portable building units (committee substitute).

**HB 2771** by Wolens and Saunders (Sponsor-Cain), relating to pyramid promotional schemes; providing penalties.

**HB 2861** by Grusendorf (Sponsor-Harris, Chris), relating to the access by a safe house to criminal history record information (amended).

**HB 2875** by Johnson (Sponsor-Nixon, Drew), relating to the continued eligibility for assistance of certain areas formerly classified as economically distressed areas.

**HB 2926** by Janek (Sponsor-Ellis), relating to request for proposal purchasing procedures for certain counties.

**HB 3053** by Junell (Sponsor-Montford), relating to the operation of the Upper Colorado River Authority.

**HB 3109** by Romo (Sponsor-Lucio), relating to state agency reports to the bond review board on bond transactions.

**HB 3120** by Hunter, Bob (Sponsor-Bivins), relating to certain nursing facilities receiving reimbursement under the state Medicaid program.

**HB 3165** by Cuellar, Henry (Sponsor-Zaffirini), relating to an additional security fee collected in Webb County.

**HB 3188** by Craddick (Sponsor-Bivins), relating to the county courts at law in Midland County.

**HB 3195** by Place (Sponsor-Sims), relating to the Coryell County juvenile board.

**HB 3198** by Rabuck (Sponsor-Galloway), relating to the board of directors of the Montgomery County Hospital District.

**HB 3211** by Berlanga (Sponsor-Truan), relating to the qualifications and terms of the port commissioners of the Port of Corpus Christi Authority of Nueces County.

Respectfully,  
Betty King  
Secretary of the Senate

#### **CONSENT BILLS CALENDAR - (consideration continued)**

**CSSB 1366** was withdrawn.

#### **HR 1084 - NOTICE OF INTRODUCTION**

Pursuant to the provisions of Rule 13, Section 9(f), of the House Rules, the chair announced the introduction of **HR 1084**, suspending the limitations on the conferees for **SB 1530**.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Financial Institutions, on adjournment today.

**ADJOURNMENT**

Representative Dear moved that the house adjourn until 12:10 p.m. today.

The motion prevailed without objection.

The house accordingly, at 11:59 a.m., adjourned until 12:10 p.m. today.

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